

Report on the Accessibility of Probation Information to Police Officers

Section 604 of Act 51 of the Public Acts of 2001 requires the Department of State Police to “explore the feasibility of establishing a method by which police officers can easily and readily obtain probation information concerning a person.”

Adult probation orders were added to the Law Enforcement Information Network (LEIN) in August 1999. These orders were added pursuant to Public Act 449 of 1998 (MCL 771.3(5)). Although this act only mandates the entry into the LEIN of probation orders containing conditions that protect one or more named persons, the LEIN also allows the entry of probation orders with conditions of interest to the criminal justice community. The Criminal Justice Information Systems (CJIS) Policy Council, which establishes LEIN policy, expanded probation orders in the LEIN to include juvenile probation orders in February 2000.

Probation orders are entered and searched by the name, race, gender and date of birth of the probationer. All probation orders in the LEIN contain a standard condition that the probationer may not violate any criminal law of any unit of government. Agencies that enter probation orders may also select any combination of five optional probation conditions. These conditions include: no contact with specified victim(s), prohibited presence at specified locations, no assaultive or threatening behavior, no alcohol or drugs, and no possession of firearms or dangerous weapons. The LEIN also contains two fields for the free-text entry of other conditions.

Probation information is automatically searched when a person inquiry is conducted in the LEIN. It is not necessary to make a special inquiry to access probation information about a person. Probation order responses include the name of the protected person or location of prohibited presence. Telephone numbers are also provided for the purposes of confirming the contents of probation orders.

As of November 21, 2001, the LEIN contained 6,439 probation orders. Conditions that prohibit contact with a named person are contained in 3,980, or 62%, of the existing orders. The remaining 38% of the probation orders in LEIN represent orders that have been entered for the purpose of providing law enforcement officers with probation information of interest to the criminal justice community. Juvenile probation orders represent approximately one percent of the total probation orders in the LEIN. Like adult orders, juvenile orders may have conditions of prohibited contact or may be entered to provide information of benefit to the criminal justice community.

By providing these orders through the Law Enforcement Information Network, police officers can access probation information as readily as they access information regarding wanted persons, driver information and other information essential to their safety and performance.